

IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

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No. 21866

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EQUITABLE SAVINGS AND LOAN ASSOCIATION,

Petitioner,

vs.

HONORABLE PEIRSON M. HALL, JUDGE OF THE UNITED STATES  
DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA,

Respondent.

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SUPPLEMENTAL APPENDIX

TO

REPLY BRIEF FOR PETITIONER

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FILED

AUG 1 1967

WM. B. LUCK, CLERK

ROSSAMAN, WATERS,  
SCOTT, KRUEGER &  
RIORDAN,  
111 Wilshire Boulevard,  
Los Angeles, Calif. 90017.

LOUIS C. BLAU,  
LAUGHLIN E. WATERS,  
ALVIN S. KAUFER,  
JANE R. BRADY,  
HERMAN F. SELVIN,

PLAN, LIVINGSTON,  
GOODWIN, BERKOWITZ  
& SELVIN  
270 North Canon Drive,  
Beverly Hills, Calif. 90210  
Of Counsel.

270 North Canon Drive,  
Beverly Hills, Calif. 90210

Attorneys for Petitioner



1 CHARLES K. CHAPMAN  
2 9th Floor, Ocean Center Bldg.  
3 Long Beach, California  
4 Telephone: HENlock 2-3447  
5 Attorney for plaintiff Long Beach  
6 Federal Savings and Loan Association

7 GEORGE W. TRAMMELL  
8 60 Elm Avenue  
9 Long Beach, California  
10 Telephone: HENlock 7-2973  
11 Attorney for plaintiffs Shareholders'  
12 Protective Committee.

13 DISTRICT COURT OF THE UNITED STATES

14 SOUTHERN DISTRICT OF CALIFORNIA

15 CENTRAL DIVISION

16 EQUITABLE SAVINGS AND LOAN  
17 ASSOCIATION, a California  
18 corporation,

CIVIL ACTION  
NO. 63-1107-P.H.

19 I. Plaintiff,

SUMMARY OF CERTAIN

20 -vs-

ATTORNEYS LEGAL

21 SIDNEY ELLIOTT, WINNIE BUCKLIN,  
22 MABEL FERGUS, and JOHN (BEANS)  
23 REARDON, individually and as the  
24 Shareholders' Protective Committee  
25 of Long Beach Federal Savings and Loan  
26 Association, suing on behalf of all of  
27 the savings shareholders of said  
28 Association as a class; FEDERAL HOME  
29 LOAN BANK BOARD, a sue and be sued  
30 agency of the United States; FEDERAL  
31 SAVINGS AND LOAN INSURANCE CORPORATION,  
32 a sue and be sued Federal corporation  
and agency of the United States; LONG  
BEACH FEDERAL SAVINGS AND LOAN  
ASSOCIATION, a Federal mutual  
association; JOSEPH FIELDS, a citizen  
of New York; MARION FIELDS, a citizen  
of New York; RALPH FIELDS, a citizen  
of New York; SAVINGS AND LOAN  
COMMISSIONER OF THE STATE OF CALIFORNIA  
(sued herein as John Doe 1),

SERVICES FOR WHICH

FEES ARE ASKED

Defendants.

SIDNEY ELLIOTT, WINNIE BUCKLIN  
MABEL FERGUS and JOHN (BEANS) REARDON,  
Individually and as the Shareholders'  
Protective Committee of Long Beach  
Federal Savings and Loan Association,  
suing on behalf of all of the savings  
shareholders of said Association as a



1 class; and LONG BEACH FEDERAL  
2 SAVINGS AND LOAN ASSOCIATION, a  
3 Federal mutual savings and loan  
4 association,

5 Cross-Claimants,

6 -vs-

7 FEDERAL HOME LOAN BANK BOARD, a  
8 sue and be sued agency of the  
9 United States; FEDERAL SAVINGS  
10 AND LOAN INSURANCE CORPORATION, a  
11 sue and be sued Federal corporation,  
12 and agency of the United States;  
13 EQUITABLE SAVINGS AND LOAN  
14 ASSOCIATION, a California  
15 corporation; JOSEPH FIELDS, a  
16 citizen of New York; MARION FIELDS,  
17 a citizen of New York; RALPH FIELDS,  
18 a citizen of New York; SAVINGS AND  
19 LOAN COMMISSIONER OF THE STATE OF  
20 CALIFORNIA (sued herein as John  
21 Doe 1),

22 Cross-Defendants.

23 N. JOSEPH ROSS,

24 Intervenor.



1 CHARLES K. CHAPMAN  
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3 Long Beach, California  
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11 Attorney for plaintiffs Shareholders'  
12 Protective Committee

13 DISTRICT COURT OF THE UNITED STATES

14 SOUTHERN DISTRICT OF CALIFORNIA

15 CENTRAL DIVISION

16 SIDNEY ELLIOTT, WINNIE BUCKLIN,  
17 MABEL FERGUS and JOHN (BEANS)  
18 REARDON, individually and as  
19 the Shareholders' Protective  
20 Committee of Long Beach Federal  
21 Savings and Loan Association,  
22 suing on behalf of all of the  
23 savings shareholders of said  
24 Association as a class; and  
25 LONG BEACH FEDERAL SAVINGS  
26 AND LOAN ASSOCIATION, a  
27 Federal mutual savings and  
28 loan association, and EQUITABLE  
29 SAVINGS AND LOAN ASSOCIATION, a  
30 California corporation,

31 Plaintiff,

32 --vs--

33 FEDERAL HOME LOAN BANK BOARD,  
34 a sue and be sued agency of  
35 the United States; FEDERAL  
36 SAVINGS AND LOAN INSURANCE  
37 CORPORATION, a sue and be  
38 sued Federal corporation,  
39 and agency of the United  
40 States,

41 Defendants.

42 N. JOSEPH ROSS,

43 Intervenor.

CIVIL ACTION

No. 63-1072-P.H.

SUMMARY OF CERTAIN

ATTORNEYS LEGAL

SERVICES FOR WHICH

FEES ARE ASKED





1 CHARLES K. CHAPMAN  
2 9th Floor, Ocean Center Bldg.  
3 Long Beach, California  
4 Telephone: HENlock 2-3447  
5 Attorney for plaintiff Long Beach  
6 Federal Savings and Loan Association.

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Attorney for plaintiffs Shareholders'  
Protective Committee.

DISTRICT COURT OF THE UNITED STATES

SOUTHERN DISTRICT OF CALIFORNIA

CENTRAL DIVISION

SIDNEY ELLIOTT, et al.,  
Plaintiff,

-vs-

FEDERAL HOME LOAN BANK BOARD,  
a sue and be sued agency of the  
United States; SAVINGS AND LOAN  
COMMISSIONER of The STATE OF  
CALIFORNIA (sued herein as  
John Doe 1); et al.,

Defendants.

LONG BEACH FEDERAL SAVINGS AND  
LOAN ASSOCIATION, a Federal  
Mutual Association,

Cross-Claimant,

-vs-

FEDERAL HOME LOAN BANK BOARD, a  
sue and be sued agency of the  
United States; SAVINGS AND LOAN  
COMMISSIONER of The STATE OF  
CALIFORNIA (sued herein as  
John Doe 1); et al.,

Cross-Defendants.

EQUITABLE SAVINGS AND LOAN  
ASSOCIATION, a California corporation,

Cross-Claimant,

-vs-

CIVIL ACTION

No. 63-1230-P.H.

SUMMARY OF CERTAIN

ATTORNEYS LEGAL

SERVICES FOR WHICH

FEES ARE ASKED



1 FEDERAL HOME LOAN BANK BOARD,  
2 a sue and be sued agency of the  
3 United States; SAVINGS AND LOAN  
4 COMMISSIONER of the STATE OF  
5 CALIFORNIA (sued herein as  
6 John Doe I); et al.,

7 Cross-Defendants.

8 N. JOSEPH ROSS,

9 Intervenor.



1 held ready for filing the same day that the merger could be,  
2 completed. Preparations were made for filing simultaneously,  
3 in both State and Federal Courts, and also for a third Federal  
4 Court interpleader action, to follow immediately. With this  
5 anchor point established, it would be possible to bring all other  
6 actions, regardless of where filed or by whom, into one Federal  
7 Court for overall decision.

8 This legal strategy required a multitude of conferences  
9 between the counsel for Long Beach Federal, the Shareholders' ,  
10 Protective Committee, Equitable, and others. At such conferences  
11 the attorneys sought to agree as far as possible upon joint  
12 pleadings in which several parties could join and to draft  
13 pleadings so that they could be utilized in several different  
14 actions by incorporation as exhibits to cross-complaints,  
15 counterclaims, cross-claims, etc.

16 This necessitated many redrafts of litigation documents  
17 so that all counsel joining for their respective clients, in any  
18 one document or action, were satisfied in the documents in which  
19 they joined.

20 Long Beach Federal's Attorney Chairman in 1962-1963 was  
21 the only remaining original counsel of those who had participated  
22 in the 1946-1947 United States Supreme Court proceedings and was  
23 familiar with the following 16 years of litigation. He therefore  
24 undertook making the first drafts of the many litigation documents  
25 required in each of the three actions, and submitted them to  
26 Attorney Trammell for the Shareholders' Protective Committee, who  
27 had been in the litigation for two years, since 1960; and to  
28 Attorney George Mendelof who had been Equitable's attorney for  
29 about 1 1/2 years, since 1961. He also conferred with, and persuaded  
30 the various other attorneys for the Long Beach Federal new savings  
31 depositors, whose individual accounts were being forfeited by  
32 the Bank Board, that the State and Federal Court class actions,



1 Protective Committee Attorney George W. Trammell is personally  
2 familiar with the period from April 1960 to the present.

3 References to the value of \$9,500,000 placed upon the  
4 791,650 shares of guaranteed stock of Equitable Savings and Loan  
5 Association are based upon studies and reports by Standard Resource  
6 Associates, a subsidiary of Standard and Poors, nationwide stock  
7 and security analysis firm. The market price, as distinguished  
8 from the actual value of said 791,650 shares, has varied widely,  
9 as have all other savings and loan stocks. No attempt has been  
10 made to follow such fluctuations of the stock market.

11 Attorney Chapman verifies this statement as to matters  
12 from May 1946 to date. Attorney Trammell verifies this statement  
13 as to matters from April 1960 to date.

14  
15 CHARLES K. CHAPMAN

16 CHARLES K. CHAPMAN

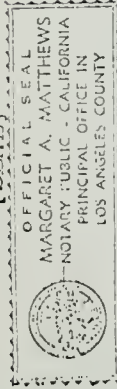
17 SUBSCRIBED and sworn to before

18 me this 1 day of June, 1965.

19 MARGARET A. MATTHEWS

20 Notary Public in and for said  
County and State.

21 [SEAL]



22 My Commission Expires January 3, 1969

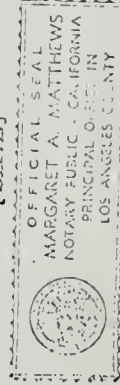
23 SUBSCRIBED and sworn to before

24 me this 28 day of May, 1965.

25 MARGARET A. MATTHEWS

26 Notary Public in and for said  
County and State.

27 [SEAL]



28 My Commission Expires January 3, 1969

29  
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31  
32





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Protective Committee.

DISTRICT COURT OF THE UNITED STATES

SOUTHERN DISTRICT OF CALIFORNIA

CENTRAL DIVISION

SIDNEY ELLIOTT, WINNIE BUCKLIN,  
MABEL FERGUS and JOHN (BEANS)  
REARDON, individually and as  
the Shareholders, Protective  
Committee of Long Beach Federal  
Savings and Loan Association,  
suing on behalf of all of the  
savings shareholders of said  
Association as a class; and  
LONG BEACH FEDERAL SAVINGS  
AND LOAN ASSOCIATION, a  
Federal mutual savings and  
loan association,

Plaintiffs,

-VS-

FEDERAL HOME LOAN BANK BOARD,  
a sue and be sued agency of  
the United States; FEDERAL  
SAVINGS AND LOAN INSURANCE  
CORPORATION a sue and be  
sued Federal corporation,  
and agency of the United  
States,

Defendants.

N. JOSEPH ROSS,

Intervenor.

CIVIL ACTION

NO. 63-1072-P.H.

PETITION AND MOTION  
FOR PARTIAL ALLOWANCE  
ON ACCOUNT OF ATTORNEYS'  
FEES FOR PLAINTIFFS'  
AND CROSS-CLAIMANTS'  
ATTORNEYS IN CLASS  
ACTIONS. AND POINTS  
AND AUTHORITIES.



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Attorney for plaintiffs Shareholders'  
Protective Committee.

DISTRICT COURT OF THE UNITED STATES

SOUTHERN DISTRICT OF CALIFORNIA

CENTRAL DIVISION

EQUITABLE SAVINGS AND LOAN  
ASSOCIATION, a California  
corporation,

Plaintiff,

--VS--

SIDNEY ELLIOTT, WINNIE BUCKLIN,  
MABEL FERGUS, and JOHN (BEANS)  
REARDON, Individually and as the  
Shareholders' Protective Committee  
of Long Beach Federal Savings and Loan  
Association, suing on behalf of all of  
the savings shareholders of said  
Association as a class; FEDERAL HOME  
LOAN BANK BOARD, a sue and be sued  
agency of the United States; FEDERAL  
SAVINGS AND LOAN INSURANCE CORPORATION,  
a sue and be sued Federal corporation,  
and agency of the United States; LONG  
BEACH FEDERAL SAVINGS AND LOAN  
ASSOCIATION, a Federal mutual  
association; JOSEPH FIELDS, a citizen  
of New York; MARION FIELDS, a citizen  
of New York; RALPH FIELDS, a citizen  
of New York; SAVINGS AND LOAN  
COMMISSIONER OF THE STATE OF CALIFORNIA  
(sued herein as John Doe 1),

Defendants.

SIDNEY ELLIOTT, WINNIE BUCKLIN,  
MABEL FERGUS and JOHN (BEANS) REARDON,  
Individually and as the Shareholders'  
Protective Committee of Long Beach  
Federal Savings and Loan Association,  
suing on behalf of all of the savings  
shareholders of said Association as a

CIVIL ACTION

NO. 63-1107-P.H.

PETITION AND MOTION

FOR PARTIAL ALLOWANCE

ON ACCOUNT OF ATTORNEYS'

FEES FOR PLAINTIFFS'

AND CROSS-CLAIMANTS'

ATTORNEYS IN CLASS

ACTIONS, AND POINTS

AND AUTHORITIES.



1 class; and LONG BEACH FEDERAL  
2 SAVINGS AND LOAN ASSOCIATION, a  
3 Federal mutual savings and loan  
4 association,

5 Cross-Claimants,

6 -VS-

7 FEDERAL HOME LOAN BANK BOARD, a  
8 sue and be sued agency of the  
9 United States; FEDERAL SAVINGS  
10 AND LOAN INSURANCE CORPORATION, a  
11 sue and be sued Federal corporation,  
12 and agency of the United States;  
13 EQUITABLE SAVINGS AND LOAN  
14 ASSOCIATION, a California  
15 corporation; JOSEPH FIELDS, a  
16 citizen of New York; MARION FIELDS,  
17 a citizen of New York; RALPH FIELDS,  
18 a citizen of New York; SAVINGS AND  
19 LOAN COMMISSIONER OF THE STATE OF  
20 CALIFORNIA (sued herein as John  
21 Doe 1),

22 Cross-Defendants.

23 N. JOSEPH ROSS,

24 Intervenor.



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Federal Savings and Loan Association.

GEORGE W. TRAMMELL  
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Telephone: HEMlock 7-2973  
Attorney for plaintiffs Shareholders'  
Protective Committee.

DISTRICT COURT OF THE UNITED STATES

SOUTHERN DISTRICT OF CALIFORNIA

CENTRAL DIVISION

SIDNEY ELLIOTT, et al.,

Plaintiffs,

--VS--

FEDERAL HOME LOAN BANK BOARD,  
a sue and be sued agency of the  
United States; SAVINGS AND LOAN  
COMMISSIONER of the STATE OF  
CALIFORNIA (sued herein as  
John Doe 1); et al.,

Defendants.

LONG BEACH FEDERAL SAVINGS AND  
LOAN ASSOCIATION, a Federal  
Mutual Association,

Cross-Claimant,

--VS--

FEDERAL HOME LOAN BANK BOARD, a  
sue and be sued agency of the  
United States; SAVINGS AND LOAN  
COMMISSIONER of the STATE OF  
CALIFORNIA (sued herein as  
John Doe 1); et al.,

Cross-Defendants.

EQUITABLE SAVINGS AND LOAN  
ASSOCIATION, a California corporation,

Cross-Claimant,

--VS--

CIVIL ACTION

NO. 65-1230-P.H.

PETITION AND MOTION

FOR PARTIAL ALLOWANCE

ON ACCOUNT OF ATTORNEYS'

FEES FOR PLAINTIFFS'

AND CROSS-CLAIMANTS'

ATTORNEYS IN CLASS

ACTIONS, AND POINTS

AND AUTHORITIES.





1 FEDERAL HOME LOAN BANK BOARD,  
2 a suc and be sued agency of the  
3 United States; SAVINGS AND LOAN  
4 COMMISSIONER of the STATE OF  
5 CALIFORNIA (sued herein as  
6 John Doe T); et al.,

7 Cross-Defendants.

8 N. JOSEPH ROSS,

9 Intervenor.



1 STATE OF CALIFORNIA, } ss.  
2 County of Los Angeles. }

3 T. A. GREGORY, being by me first duly sworn, deposes  
4 and says:

5 That he is President of Long Beach Federal Savings  
6 and Loan Association and is authorized to make this verification  
7 for and on behalf of said Association; that he has read the  
8 foregoing "PETITION AND MOTION FOR PARTIAL ALLOWANCE ON ACCOUNT  
9 OF ATTORNEYS' FEES FOR PLAINTIFFS' AND CROSS-CLAIMANTS' ATTORNEYS'  
10 IN CLASS ACTIONS" and knows the contents thereof, and that the  
11 same is true of his own knowledge except as to the matters which  
12 are therein stated upon information and belief, and as to those  
13 matters that he believes it to be true.

14 T. A. GREGORY

15 T. A. GREGORY

16  
17 SUBSCRIBED AND SWORN to before me

18 this 22<sup>nd</sup> day of March, 1965.

19 LEON FRAZER

20 Notary Public in and for said  
County and State.

21 [SEAL]



LAW OFFICES  
CHARLES K. CHAPMAN  
OCEAN CENTER BUILDING  
LONG BEACH 2, CALIFORNIA  
HEMLOCK 2-3447

April 27, 1967

REGISTERED RETURN  
RECEIPT REQUESTED

Nossaman, Waters, Scott, Krueger & Riordan  
Attorneys at Law  
611 Wilshire Boulevard  
Suite 1300  
Los Angeles, California 90017

Attention: Attorney Jane R. Brady

Re: Pending appeals from attorneys' fee  
Judgments and Order re continued  
existence of Long Beach Federal from  
District Court actions Nos. 63-1072-P.H.,  
63-1107-P.H., and 63-1230-P.H.

Dear Miss Brady:

Thank you for your letter of April 19, 1967 enclosing your proposed stipulation for consolidation in the Court of Appeals of the various pending appeals by the different parties from the judgments for attorneys' fees and the order re continued corporate existence of Long Beach Federal.

I do not believe that the order re continued corporate existence of Long Beach Federal is an appealable order. I am therefore not willing to consolidate any of the appeals from that order with the appeals from the judgments for attorneys' fees.

I am willing, however, to stipulate to consolidating all of the various appeals from the judgments for attorneys' fees for the purposes of motions, briefing and argument but not for all purposes. I believe that three separate judgments should be made and entered by the Court of Appeals in the attorneys' fees matters and three separate orders or other appropriate disposition should be made by the Court of Appeals in all of the appeals from the order re the continued corporate existence of Long Beach Federal.



LES K. CHAPMAN

Nossaman, Waters, Scott, Krueger & Riordan  
April 27, 1967

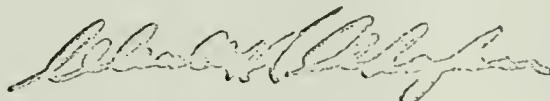
Page 2

I will draft and send you shortly two separate proposed stipulations for consolidating the various attorneys' fee appeals in one group for argument etc. Also another separate stipulation for consolidating the various attempted appeals from the order re continued corporate existence of Long Beach Federal into another separate group of appeals for motions etc.

This will not require any changes in the various records on appeals from the three District Court cases Nos. 63-1072-P.H., 63-1107-P.H., and 63-1230-P.H.

I have inquired concerning the separate numbering of the various appeals so that the proposed stipulations can be appropriately numbered and captioned. When I have such information you will hear further from me.

Yours truly,



CHARLES K. CHAPMAN

CKC/lh

